

or a discount store and they would buy a bunch of toys, very inexpensive toys, and they would test them for lead. Every one of these batches of toys had significant numbers of toys that had lead content—lead in the paint that covered these toys—lead content way above on average what is considered safe. What is considered safe is about 600 parts per million. These were, in some cases, thousands of parts per million.

What should not surprise us about that is the way we set up trade policy in this country. We don't write trade policy to protect our children or to protect our communities or to protect our workers. We don't write trade policy to protect our food supply. We write long trade agreements—this isn't one, but I have to gather these papers to show how long they are. We pass trade policies that are this long. If we wanted to eliminate tariffs, we would pass trade policies that are this long. You could write a schedule of eliminating tariffs in the Colombian free trade agreement of 2 or 3 pages. Instead, we write agreements that are hundreds, if not in some cases over a thousand pages, because they are full of protections—not for workers, not for communities, not for children, not for our kitchen tables, our families—but these are trade policies that are chock-full of protections for the drug industry, the insurance industry, the oil companies, the banks. That is what our trade policy is all about. That is why.

Go back to Jeff Weidenheimer's class at Ashland University and look what happened. American companies decide they are going to shut down in this country because they would rather pay Chinese workers low wages and not have environmental laws and not have worker safety laws and not have to worry about consumer protection laws, so they shut down plants such as Huffy Bicycle in Sidney, OH, and they move to China where it is a whole lot cheaper. You don't have to worry about treating Chinese workers well because they are disposable. They did have to worry about treating American workers well, frankly, because many of them were union, and even if they were not, we have consumer protection laws, safe drinking water, clean air, environmental laws—all of those kinds of things. So these companies in Ohio and in the State of Washington where the Presiding Officer is from, all over our country, these companies shut down and they move to China.

A company such as Hasbro, a toy manufacturer, moves their production to China. Hasbro then subcontracts with a Chinese company, they subcontract their work. They go to a country, China, that does not have the same environmental safety, worker safety, consumer safety, and wages we have in this country, and then they deal with Chinese contractors and they push those Chinese contractors to cut costs: You have to cut costs; you have to cut costs. Every year they cut costs

over the year before, because that is good business. These American companies, when they outsource their jobs to China, force those Chinese contractors to cut costs.

Do you know what happens? They use lead-based paints. Do you know why? Because lead-based paint is cheaper to apply, it is cheaper to buy, it dries faster. These toys, then, all of a sudden, instead of having a coating that is safe for little children instead now have a coating that has lead base in them, making them dangerous to children. But they do that because these American companies are pushing these subcontractors to cut costs.

Forgetting for a moment—because these American companies don't seem much to care and the Chinese contractors don't seem to care much—forgetting for a moment these people in China are working in these factories and are probably ingesting all kinds of toxic lead themselves—forget that for a moment, as bad as that is. These toys then come back to the United States. Do you know what the Bush administration did? The Bush administration has weakened consumer protection laws and cut the number of inspectors so these products come through the American regulatory system that used to be the best regulatory system, the best consumer product safety system in the world, the best Food and Drug Administration system in the world—agencies that protected consumer products, about toys, especially—and agencies that protected food products that came into this country. And what do we end up with? We end up with toxic toys coming to our children's bedrooms, we end up with contaminated vitamins and other contaminated food coming into our kitchens. That is the result of American trade policy. It doesn't look out for our families, it doesn't look out for our children, it doesn't look out for our workers, it doesn't look out for our communities. Instead, it looks out for the drug companies, it looks out for the big toy manufacturers, it looks out for the big insurance companies, it looks out for the banks, it looks out for the oil industry. That is what is wrong with our trade policy.

President Bush's answer is let's send another free trade agreement to the Senate, to the House of Representatives, the Colombia free trade agreement. It is more of the same. It will not work.

The last point, Madam President, and I think we are pretty ready to adjourn for the night. When I came to Congress—I was elected the same year the Presiding Officer was elected, 1992—we had a \$38 billion trade deficit. That means our country bought \$38 billion more than our country sold to other countries around the world. Today, that trade deficit exceeds \$800 billion—from \$38 billion to \$800 billion in a decade and a half. President Bush the First said for every \$1 billion trade surplus or trade deficit, it amounted to

13,000 jobs. That means if we had a \$1 billion trade surplus, if we were selling more than we were bringing in, it meant 13,000 net gain of jobs in country. If we had a \$1 billion trade deficit, it meant we bought \$1 billion more than we sold, we had a 13,000 jobs net loss. We have an \$800 billion plus trade deficit. Do the math. Think about that.

As we adjourn for the evening, think about what this trade policy is doing. It continues to fail the American people, continues to fail our communities, and it kind of begs the issue about which Albert Einstein once said: The definition of insanity is to do the same thing over and over and expect a different result.

We are getting the same result. It hurts our communities, it doesn't protect our families—consumer protection and food safety and all of that. These trade agreements are a bad idea. We can fix them. I, like Senator DORGAN, who has spoken on the floor many times about this, want more trade. We want plenty of trade. We just want it under a very different set of rules, rules that protect our families, protect our communities, that protect our workers—not just protecting the drug industry and the oil industry and the energy companies and those toy manufacturers that sort of forget about the safety of our children.

#### HONORING OUR ARMED FORCES

Mrs. BOXER. Madam President, today I rise to pay tribute to 19 young Americans who have been killed in Iraq since November 6, 2007. This brings to 831 the number of servicemembers who were either from California or based in California who have been killed while serving our country in Iraq. This represents 21 percent of all U.S. deaths in Iraq.

SPC Peter W. Schmidt, 30, died on November 13, in Mukhisa, Iraq, of wounds suffered when an improvised explosive device detonated during dismounted combat operations. Specialist Schmidt was assigned to the 2nd Battalion, 23rd Infantry Regiment, 4th Stryker Brigade Combat Team, 2nd Infantry Division, Fort Lewis, WA. He was from Eureka, CA.

SSgt Alejandro Ayala, 26, died November 18, of injuries sustained as a result of a vehicle accident in Kuwait. Staff Sergeant Ayala was assigned to the 90th Logistics Readiness Squadron, F.E. Warren Air Force Base, WY. He was from Riverside, CA.

SGT Kyle Dayton, 22, died December 3 in Ashwah, Iraq, of injuries suffered from a noncombat-related incident. Sergeant Dayton was assigned to the 2nd Battalion, 504th Parachute Infantry Regiment, 1st Brigade Combat Team, 82nd Airborne Division, Fort Bragg, NC. He was from El Dorado Hills, CA.

CPO Mark T. Carter, 27, died December 11 as a result of enemy action while conducting combat operations in Iraq. Chief Petty Officer Carter was permanently assigned as an East Coast-based

Navy SEAL. He was from Fallbrook, CA.

PFC George J. Howell 24, died December 21 in Riyadh, Iraq, of wounds suffered when his vehicle was attacked by an improvised explosive device. Private First Class Howell was assigned to the 1st Battalion, 87th Infantry Regiment, 1st Brigade Combat Team, 10th Infantry Division, Light Infantry, Fort Drum, NY. He was from Salinas, CA.

SGT Benjamin B. Portell, 27, died December 26 in Mosul, Iraq, of wounds suffered from small arms fire during dismounted combat operations. Sergeant Portell was assigned to the 3rd Squadron, 3rd Armored Cavalry Regiment, III Corps, Fort Hood, TX. He was from Bakersfield, CA.

PFC Ivan E. Merlo, 19, died in Samarra, Iraq, on January 9, of wounds sustained during combat operations. Private First Class Merlo was assigned to the 2nd Battalion, 327th Infantry Regiment, 1st Brigade Combat Team, 101st Airborne Division, Air Assault, Fort Campbell, KY. He was from San Marcos, CA.

SGT David J. Hart, 22, died in Balad, Iraq, on January 9, of wounds sustained during combat operations in Samarra, Iraq. Sergeant Hart was assigned to the 2nd Battalion, 327th Infantry Regiment, 1st Brigade Combat Team, 101st Airborne Division, Air Assault, Fort Campbell, KY. He was from Lake View Terrace, CA.

SGT James E. Craig, 26, died from wounds suffered when his unit encountered an improvised explosive device during convoy operations on January 28, in Mosul, Iraq. Sergeant Craig was assigned to the 1st Battalion, 8th Infantry Regiment, 3rd Brigade Combat Team, 4th Infantry Division, Fort Carson, CO. He was from Hollywood, CA.

PFC Brandon A. Meyer, 20, died from wounds suffered when his unit encountered an improvised explosive device during convoy operations on January 28 in Mosul, Iraq. Private First Class Meyer was assigned to the 1st Battalion, 8th Infantry Regiment, 3rd Brigade Combat Team, 4th Infantry Division, Fort Carson, CO. He was from Orange, CA.

SGT Timothy P. Martin, 27, died February 8 in Taji, Iraq, of wounds suffered when his vehicle encountered an improvised explosive device. Sergeant Martin was assigned to 2nd Squadron, 14th Cavalry Regiment, 2nd Stryker Brigade Combat Team, 25th Infantry Division, Schofield Barracks, HI. He was from Pixley, CA.

SPC Michael T. Manibog, 31, died February 8 in Taji, Iraq, of wounds suffered when his vehicle encountered an improvised explosive device. Specialist Manibog was assigned to 1st Battalion, 21st Infantry Regiment, 2nd Stryker Brigade Combat Team, 25th Infantry Division, Schofield Barracks, HI. He was from Alameda, CA.

LCpl Drew W. Weaver, 20, died February 21 while conducting combat operations in Al Anbar Province, Iraq. Lance Corporal Weaver was assigned to

3rd Light Armored Reconnaissance Battalion, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

CPL Jose A. Paniagua-Morales, 22, died March 7, in Balad, Iraq, of injuries sustained in Samarra, Iraq, when an improvised explosive device detonated near his vehicle. Corporal Paniagua-Morales was assigned to C Company, 4th Battalion, 9th Infantry Regiment, 2nd Infantry Division, Fort Lewis, WA. He was from Bell Gardens, CA.

PVT George Delgado, 21, died March 24 in Baghdad, Iraq, from wounds suffered when his vehicle encountered an improvised explosive on March 23. Private Delgado was assigned to the 4th Battalion, 64th Armor Regiment, 4th Brigade Combat Team, 3rd Infantry Division, Fort Stewart, GA. He was from Palmdale, CA.

MAJ William G. Hall, 38, died March 30 from wounds he suffered while conducting combat operations in Al Anbar Province, Iraq, on March 29. Major Hall was assigned to 3rd Low Altitude Air Defense Battalion, Marine Air Control Group 38, 3rd Marine Aircraft Wing, I Marine Expeditionary Force, Camp Pendleton, CA.

SGT Richard A. Vaughn, 22, died April 7, in Baghdad, Iraq, from wounds suffered when enemy forces attacked using a rocket propelled grenade, improvised explosive device and small arms fire. Sergeant Vaughn was assigned to the 1st Battalion, 66th Armor Regiment, 1st Brigade Combat Team, 4th Infantry Division, Fort Hood, TX. He was from San Diego, CA.

SGT Timothy M. Smith, 25, died April 7, in Baghdad, Iraq, of wounds suffered when his vehicle encountered an improvised explosive device. Sergeant Smith was assigned to the 4th Brigade Special Troops Battalion, 4th Brigade Combat Team, 10th Mountain Division, Light Infantry, located at Fort Polk, LA. He was from South Lake Tahoe, CA.

TSgt Anthony L. Capra, 31, died April 9, near Golden Hills, Iraq, of wounds suffered when he encountered an improvised explosive device. Technical Sergeant Capra was assigned to Detachment 63, 688 Armament Systems Squadron, Indian Head City, MD. He was from Hanford, CA.

I would also like to pay tribute to the eight servicemembers from California who have died while serving our country in Operation Enduring Freedom since November 6.

SPC Lester G. Roque, 23, died November 10 of wounds sustained when his patrol was attacked by direct fire from enemy forces in Aranus, Afghanistan, on November 9. Specialist Roque was assigned to 2nd Battalion, 503rd Airborne Infantry Regiment, 173rd Airborne Brigade Combat Team, Vicenza, Italy. He was from Torrance, CA.

SPC Sean K. A. Langevin, 23, died November 9 of wounds sustained when his patrol was attacked by direct fire from enemy forces in Aranus, Afghanistan. Specialist Langevin was assigned

to 2nd Battalion, 503rd Airborne Infantry Regiment, 173rd Airborne Brigade Combat Team, Vicenza, Italy. He was from Walnut Creek, CA.

First Lieutenant Matthew C. Ferrara, 24, died November 9 of wounds sustained when his patrol was attacked by direct fire from enemy forces in Aranus, Afghanistan. First Lieutenant Ferrara was assigned to 2nd Battalion, 503rd Airborne Infantry Regiment, 173rd Airborne Brigade Combat Team, Vicenza, Italy. He was from Torrance, CA.

SGT Phillip A. Bocks, 28, died November 9 while conducting combat operations in Aranus, Afghanistan. Sergeant Bocks was assigned to Marine Corps Mountain Warfare Training Center, Bridgeport, CA.

SrA Nicholas D. Eischen, 24, died December 24, in Bagram Air Base, Afghanistan, in a noncombat-related incident. Senior Airman Eischen was assigned to the 60th Medical Operations Squadron, Travis Air Force Base, CA. He was from Sanger, CA.

SGT James K. Healy, 25, died at Jalalabad Airfield, Afghanistan, of wounds sustained when his vehicle struck an improvised explosive device on January 7, in Laghar Juy. Sergeant Healy was assigned to the 703rd Explosive Ordnance Detachment, Fort Knox, KY. He was from Hesperia, CA.

SGT Robert T. Rapp, 22, died March 3, in the Sabari District of Afghanistan, of wounds suffered during combat operations. Sergeant Rapp was assigned to the 1st Battalion, 508th Parachute Infantry Regiment, 4th Brigade Combat Team, 82nd Airborne Division, Fort Bragg, NC. He was from Sonora, CA.

SGT Gabriel Guzman, 25, died March 8 at Orgun E, Afghanistan, of wounds suffered when his vehicle encountered an improvised explosive device in Gholam Haydar Kala, Afghanistan. Sergeant Guzman was assigned to the 2nd Battalion, 508th Parachute Infantry Regiment, 4th Brigade Combat Team, 82nd Airborne Division, Fort Bragg, NC. He was from Hornbrook, CA.

May all these brave soldiers, brave marines, brave Navy SEALs and sailors, brave airmen—brave all—may they rest in peace. I wish to say that if you come to my office in the Hart Building, before you enter, I have listed on big charts the names of all the individuals who are either from California or assigned in California, and if they passed, they are on that listing. We started with one enormous chart, then two, three, and four. I am sad to say it is growing.

The reason I wished to mention their names on the floor is because sometimes we tend to just look at numbers—and we should—but behind those numbers are our children. I am a grandmother. I ache every time I sign a letter. Every single one of these brave Americans died doing something they wanted to do for their country. Their Commander in Chief sent them

into battle, so of course not one of them has died in vain. But I want to do all I can—and I say this from my heart—to ensure that when we get into a conflict, we know there is a way out and that we can bring these conflicts to an end as soon as possible because so many sacrifices are being made, and no more so than the loss of America's finest.

SERGEANT HEATHER SPRINGER

Mr. NELSON of Nebraska. Madam President, I rise today to honor Nebraska Army National Guard Sergeant Heather Springer, in recognition of receiving the Army Veterans' Association Medic of the Year award and the Bronze Star Medal for Valor.

Sergeant Springer is a native of Lincoln, NE, and currently attends the University of Nebraska Medical Center College of Nursing. She joined the Nebraska Army National Guard on April, 8, 2004, and served with the 313th Ground Ambulance and 110th Medical Battalion. On March 1, 2006, Sergeant Springer transferred to Charlie Company 2-135 General Support Aviation Battalion, 36th Combat Brigade, to become a flight medic. Soon after, she was deployed to Iraq in Diyala Province in support of Operation Iraqi Freedom.

On July 15, 2007, Sergeant Springer was transported to a landing zone where several U.S. soldiers had been struck by a roadside bomb. While conducting treatment for a critically injured soldier, her team suddenly came under enemy fire. She immediately secured the wounded soldier she was attending to and then moved 10 meters to a second wounded soldier, willingly exposing herself to open fire. During this hostile situation, Sergeant Springer remained composed and demonstrated assertive judgment by concluding that the wounds sustained by the first soldier were more critical. She determinedly led part of her team through 60 meters of open road, completely susceptible to enemy fire, to secure the soldier inside a Black Hawk helicopter. Once inside the helicopter, Sergeant Springer noticed that the second wounded soldier she had attended to was being moved towards the helicopter, and instantly moved to help safely transport the soldier aboard the aircraft.

Sergeant Springer displayed remarkable courage and selflessness while placing her own life at risk. These two wounded warriors are alive today as a direct result of her steadfastness and superb medical skills. The DUSTOFF—Dedicated Unhesitating Service to Our Fighting Forces—Association recently awarded her the DUSTOFF Medic of the Year award. The DUSTOFF Association is a nonprofit organization for the Army Medical Department's enlisted and officer personnel, aviation crew members, and others who have actively supported Army aeromedical evacuation programs in war or in peacetime.

Sergeant Heather Springer's admirable performance in Iraq led her to be-

come the second woman in Nebraska National Guard history to receive the Bronze Star Medal for Valor. I wish Sergeant Springer all the best as she pursues her education in nursing school, and join all Nebraskans in honoring the heroism of this exceptional soldier.

#### ONE-YEAR ANNIVERSARY OF VIRGINIA TECH TRAGEDY

Mr. WARNER. Madam President, 1 year ago today, the horrific shootings at Virginia Tech claimed 32 innocent lives.

In remembrance of the lives of promise that were forever lost that shocking day, I would simply like to read each of their names into the CONGRESSIONAL RECORD: Ross A. Alameddine; Christopher James Bishop; Brian R. Bluhm; Ryan Christopher Clark; Austin Michelle Cloyd; Jocelyne Couture-Nowak; Daniel Alejandro Perez Cueva; Kevin P. Granata; Matthew Gregory Gwaltney; Caitlin Millar Hammaren; Jeremy Michael Herbstritt; Rachael Elizabeth Hill; Emily Jane Hilscher; Jarrett Lee Lane; Matthew Joseph La Porte; Henry J. Lee; Liviu Librescu; G.V. Loganathan; Partahi Mamora Halomoan Lumbantoruan; Lauren Ashley McCain; Daniel Patrick O'Neil; Juan Ramon Ortiz-Ortiz; Minal Hiralal Panchal; Erin Nicole Peterson; Michael Steven Pohle, Jr.; Julia Kathleen Pryde; Mary Karen Read; Reema Joseph Samaha; Waleed Mohamed Shaalan; Leslie Geraldine Sherman; Maxine Shelly Turner; Nicole Regina White.

The day after the shooting, I mourned with the campus community at a convocation held on the campus of Virginia Tech. While the mourning of that tragic day continues for all of us, in the past year the Tech family has come together to support each other in a way that all of America admires. I know that those who have suffered most in the tragedy, and their families, remain in the thoughts and prayers of not only all Hokies, but indeed Americans across the country.

#### JUDICIAL NOMINATIONS

Mr. LEAHY. Madam President, Senate Democrats have worked hard to make progress on judicial nominations. That hard work has paid off, with circuit court vacancies at less than half of what they were when President Clinton left office. The majority leader last week was right to call the Republican complaints chutzpah.

Yesterday, the Michigan Senators and I were able to overcome a long impasse lasting more than a decade over vacancies on the Sixth Circuit. I have long urged the President to work with the Michigan Senators, and, after 7 years, he finally has. With his nomination of Judge Helene White of Michigan, we have a significant development that can lead to filling the last two vacancies on the Sixth Circuit before this year ends.

Our actions in resolving this impasse stands in sharp contrast to action of Senate Republicans who refused to consider any nomination to the Sixth Circuit Court of Appeals in the last 3 years of the Clinton administration, leaving open four vacancies. Thanks to the hard work of Senator LEVIN and Senator STABENOW, we are now poised to fill them all.

Judge White was initially nominated 11 years ago, but her nomination was 1 of the more than 60 judicial nominees the Republicans pocket filibustered. After literally years of work, her re-nomination yesterday allows us to move forward with the support of the Senators from Michigan. I plan to consider the Sixth Circuit nominations as quickly as possible.

We are also poised to make progress to end a long impasse on the Fourth Circuit with the pending nomination of Steve Agee of Virginia. After insisting on nominating a series of contentious and time-consuming choices such as Jim Haynes, Claude Allen and Duncan Getchell, a nomination that was not supported by either the Republican Senator or the Democratic Senator from Virginia, the President this year has finally chosen to work with Senator WARNER and Senator WEBB. I have already said that I expect to hold the confirmation hearing on the Agee nomination as soon as the paperwork is completed. If we are able to confirm Steve Agee, there will be fewer Fourth Circuit vacancies than there were at the end of the Clinton administration.

Just last week, on a day when the Republicans chose to ignore the pressing problems affecting the lives of the American people and vent over judicial nominations, the Senate proceeded on schedule to confirm another five lifetime judicial appointments, including that of Catharina Haynes to fill the last vacancy on the Fifth Circuit. Similar to yesterday's progress with nominations to the Sixth Circuit, this stands in marked contrast to consideration of nominations to that court during the Clinton administration. At that time, the Republican-controlled Senate refused to consider nominees for the last 4 years of the Clinton administration, while the Chief Judge of the Fifth Circuit declared a circuit-wide emergency. Today, there are no vacancies on the Fifth Circuit.

I have said for 8 years that if the President is willing to work with us and consult in the constitutionally mandated process of advice and consent, we can make significant progress. When he does so, as he has recently with respect to Virginia and now Michigan, I have commended him. I do so again today.

It has taken years. It has taken effort. It has taken the steadfastness of Senators LEVIN and STABENOW. Today we can all take heart that we have broken through a decade's old impasse. Others have tried but been unsuccessful. I know that Senator HATCH tried and Senator SPECTER tried. We are succeeding. We are succeeding because we